IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 21912 of 2004

Between:

Kanuri Balaram E-104046 S/olate Veerappa
Poosapatirega Village, Vizianagaram Dist.

... PETITIONER

AND

1 The A.P.S.R.T.C. rep by its Regional Manager
Vizianagaram District, Vizianagaram.
2 The A.P.S.R.T.C., Vizianagaram Depot,

rep by its Depot Manager, Vizianagaram Dist.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus, or any other appropriate writ, order or direction, declaring the 2nd respondent herein in suspending the petitioners from service, vide proceedings No.Steno/95(121)/04-Vizianagaram, dt.9-11-2004 as illegal, unjust and arbitrary, unwarrented and as such liable to be set aside in the interests of justice.

Counsel for the Petitioner:MR.S.M.SUBHAN

Counsel for the Respondents: KUM.B.G.UMA DEVI, STANDING COUNSEL FOR APSRTC.

The Court made the following :

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O R D E R:

The petitioner challenges the order of the second respondent dated 9.11.2004, wherein he was placed under suspension pending enquiry.

Heard the learned counsel for the petitioner and the leaned standing counsel for the respondents.

The petitioner was placed under suspension pending enquiry into certain allegations of permitting the passengers to overload. The truth or otherwise of these allegations need to be considered in the enquiry. The very fact that passengers were permitted to travel beyond the stages to which the tickets were issued discloses a *prima facie* lapse on the part of the petitioner. Therefore, this Court does not find any basis to interfere with the same.

The writ petition is accordingly disposed of directing the respondents to conclude the enquiry against the petitioner within three months from the date of receipt of a copy of this order. There shall be no order as to costs.

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30th November, 2004

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To

1. The Regional Manager,

   Andhra Pradesh Road Transport Corporation,
   Vizianagaram, Vizianagaram District.

2. The Depot Manager
   Andhra Pradesh Road Transport Corporation,
Vizianagaram Depot, Vizianagaram District.

3. Two C.D.copies